

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Montricia Pittman**
6144 Cherry Hill Road
Montgomery, AL 36116

From: **Birmingham District Office**
Ridge Park Place
1130 22nd Street, South, Suite 2000
Birmingham, AL 35205-1130

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

130 2005 07026**Devoralyn J. McGhee, Investigator (205) 212-2070****THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

- ☐ The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- ☐ Your allegations did not involve a disability as defined by the Americans with Disabilities Act.
- ☐ The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- ☐ Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.
- ☐ Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- ☐ While reasonable efforts were made to locate you, we were not able to do so.
- ☐ You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.
- ☒ The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☐ The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- ☐ Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this Notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Beverly B. Hinton for
Bernice Williams-Kimbrough, District Director

7 MAR 2006
(Date Mailed)

Enclosure(s)

cc: **Constance C. Walker, Attorney**

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC**130-2005-07026**

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Ms. Montricea Pittman

Home Phone No. (Incl Area Code)

(334) 281-6017

Date of Birth

02-07-1973

Street Address

6144 Cherry Hill Road

City, State and ZIP Code

Montgomery, AL 36116

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

MONTGOMERY COUNTY SHERIFFS DEPARTMENT

No. Employees, Members

201 - 500

Phone No. (Include Area Code)

(334) 832-4980

Street Address

115 South Perry St., Detention Facility, Montgomery, AL 36116

City, State and ZIP Code

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☒ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE
Earliest Latest**08/10/2005****09/12/2005**☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I began my employment on April 15, 2004, as a Correctional Officer. During my employment, I made several reports regarding inappropriate conduct of several inmates. On June 4, 2005, I submitted an inmate report, which I later learned had been altered. I reported this conduct and no action was taken. My employer failed to take the appropriate action regarding the inappropriate conduct of the inmate. Their failure to take appropriate action resulted in my being discriminatory disciplined and instructed to attend Inmate Officer Interaction Training, unlike similarly situated male officers who have committed more severe violations and were not discharged. By letter dated August 5, 2005, I protested discriminatory treatment and informed the employer that I would be unable to attend the training on the designated date. I suggested that I take the training on a different date. However, on August 10, 2005, I was informed of pending disciplinary action for alleged neglect or dereliction of duty, insubordination and failure to comply with written or verbal orders. An investigation was conducted. Upon completion of the investigation, on September 12, 2005, I was informed of my immediate termination for the aforementioned alleged violations.

I believe I have been discriminated against because of my sex, female and in retaliation for protesting what I believed to be discriminatory (letter dated August 5, 2005) in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Sep 29, 2005

Date

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)